



February 13, 2003

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW, Room TW-A325
Washington, D.C. 20554

Re: CC Docket No. 01-338

Dear Ms. Dortch:

On Wednesday, February 13, 2003, William B. Anaya of Motorola met with Commissioner Jonathan S. Adelstein. In the conversation, Mr. Anaya made the following points regarding NextLevel Communications (NLC) and its broadband equipment:

NLC's EQUIPMENT PROVIDES A COMMON PLATFORM FOR VOICE, DATA AND VIDEO AND CAPTURES MARKET SHARE WHEREEVER IT HAS BEEN DEPLOYED

- NLC's innovative product, the NLevel³ Platform, delivers any combination of voice (including advanced voice services), high-speed data and multi-stream digital video to residential and business customers over a common very high-speed digital line ("vDSL").
- The NLevel³ Platform is currently the world's most widely deployed communications and entertainment solution for facilities-based telecommunications carriers seeking to use their existing copper networks to provide broadband services. Qwest's Phoenix deployment uses the NLC platform.
- Smaller independent ILECs not subject to unbundling regulations have deployed integrated service offerings and have captured significant market share using NLC's equipment. NLC's customers include Paul Bunyan Telephone Cooperative and Chibardum Telephone. In Canada, Canada Bell and Manitoba Telephone use NLC's equipment.

ILECS MUST BE FREED FROM UNBUNDLING REQUIREMENTS IN ORDER TO SPUR BROADBAND DEPLOYMENT

- The current regulatory framework imposes significant burdens on the major ILECs by requiring them to unbundle the network elements used to provide broadband services at cost-based rates. These unbundling requirements have made investment in new facilities unattractive.

**DECISIVE ACTION BY THE FCC WILL INVIGORATE THE MANUFACTURING SECTOR,
SPUR R&D INVESTMENT AND ENCOURAGE RIGOROUS BROADBAND COMPETITION**

- ILEC investment will provide much-needed jumpstart for the technology equipment manufacturing industry and prevent further job and operational cutbacks in this beleaguered sector.
- Equipment suppliers will reinvest their resources in R&D and improve their products.
- With the ILECs free from unbundling obligations, they will offer a full package of services, competing with other broadband service providers. Other broadband service providers will respond with more aggressive deployment, lower prices and innovative service packages. All of these developments will help consumers.

Please contact me at (202) 371-6896 should you have any questions regarding this matter.

Respectfully submitted,

/s/ Jeanine Poltronieri

Jeanine Poltronieri
Director
Telecommunications Regulation and Strategy
Motorola

C: Commissioner Jonathan S. Adelstein